

IN THE CIRCUIT COURT FOR HAMBLEN COUNTY, TENNESSEE
AT MORRISTOWN

KEITH WILLIAMS and)
TERESA WILLIAMS,)
Plaintiffs,)
vs.)
OLLIE'S BARGAIN OUTLET, INC.,)
Defendant.)
NO. 20CV020
JURY TRIAL DEMANDED

SUMMONS

To the above named Defendant: Ollie's Bargain Outlet, Inc.

Serve: Corporation Service Company, 2908 Poston Ave., Nashville, TN 37203-1312

You are hereby summoned and required to serve upon: F. Braxton Terry, Plaintiff's attorney, whose address is P.O. Box 724, Morristown, Tennessee 37815-0724, a true copy of the answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. You will file the original with the Court.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

Issued this 24 day of Feb, 2020, at _____ o'clock, _____ m.

Teresa West / Prairie Lee Clerk

(This summons is issued pursuant to Rule 4 of the Tennessee Rules of Civil Procedure.)

NOTICE

TO THE DEFENDANT(S): Tennessee law provides a ten thousand dollar (\$10,000) personal property exemption from execution or seizure to satisfy a judgment. If a Judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the Clerk of the Court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

Received this _____ day of _____, 2020.

_____, Deputy Sheriff

RETURN ON SERVICE OF SUMMONS

I hereby certify and return that on the _____ day of _____, 2020, I served this summons together with the complaint as follows: _____ or failed to serve this summons within 30 days after its issuance because _____.

_____, Deputy Sheriff



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TERESA WEST
CIRCUIT COURT CLERK
HAMBLEN COUNTY

FEB 24 2020

COMPLAINT

By 

1. The Plaintiffs, **Keith Williams and Teresa Williams**, bring this civil action against the Defendant, **Ollie's Bargain Outlet, Inc.**, and file a copy of their Complaint, certified by their attorney as being true and correct for the purpose of accompanying the summons, for damages in an amount no less than Three Hundred Twenty-Five Thousand Dollars (\$325,000).

2. The Plaintiffs, **Keith Williams and Teresa Williams**, are citizens and residents of Cocke County, Tennessee, residing at 450 Ann Circle, Newport, Tennessee 37821.

3. The Defendant, **Ollie's Bargain Outlet, Inc.** is a corporation with its principal place of business being in the State of Pennsylvania, with an agent for services of process being Corporation Service Company, 2908 Poston Avenue, Nashville, Tennessee 37203-1312.

4. On or about November 27, 2019, the Plaintiff, **Keith Williams**, was shopping at the **Ollie's Bargain Outlet, Inc.** location at 1948 West Morris Boulevard,

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Morristown, Tennessee. While at the **Ollie's Bargain Outlet, Inc.** location in Morristown, Tennessee, there was a loading cart containing toys protruding into the pathway of customer traffic.

5. As the Plaintiff, **Keith Williams**, was browsing through the store for merchandise when his foot on the loading cart, causing him to fall and sustain serious and disabling injuries.

6. The Defendant, **Ollie's Bargain Outlet, Inc.**, its agents and employees were negligent in the following:

- a. Failing to properly keep their aisles and walkways clean and removed of obstacles which could cause customers in the store to fall and injure themselves.
- b. Negligently failing to inspect the walkways to insure the paths of travel for customers remain free and clear of dangerous and unsafe conditions such as the ones mentioned herein;
- c. Allowing dangerous conditions to exist in the area of customer walkways, which the Defendant, its agent and employees knew or should have known was hazardous and likely to cause and posed a tripping hazard;
- d. Negligently failing to insure that customers have a safe and unobstructed path of travel throughout the store;
- e. Negligently failing to warn the Plaintiff of the aforementioned hidden and dangerous conditions, which would not have been

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obvious to the Plaintiff or to other customers traveling through the store;

f. Negligently failing to properly train and supervise employees and agents to promulgate and enforce adequate safety policies and procedures.

7. As a direct and proximate result of the Defendant's negligence, the Plaintiff, **Keith Williams**, was caused to fall and sustain serious and disabling injuries.

8. The Plaintiff, **Keith Williams**, brings this civil action against the Defendant, **Ollie's Bargain Outlet, Inc.**, for personal injuries and damages, medical bills and expenses, which he was caused to receive on or about November 27, 2019.

9. The Plaintiff, **Teresa Williams**, brings this civil action against the Defendant for loss of consortium, which she was caused to receive as a result of her husband's injuries.

10. The Plaintiff, **Keith Williams**, brings this civil action against the Defendant, **Ollie's Bargain Outlet, Inc.**, for injuries which he was caused to receive on or about November 27, 2019. As a result of this accident, **Keith Williams**, has sustained serious and disabling injuries. Said injuries to the Plaintiff have resulted in permanent disability and have impaired his capacity for business and the enjoyments and pleasures of life. As a result of these injuries, Plaintiff has incurred and shall continue to incur medical bills as well as pain and suffering.

WHEREFORE, the Plaintiffs, **Keith Williams and Teresa Williams**, ask for judgment against the Defendant, **Ollie's Bargain Outlet, Inc.**, in a sum of no less than

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Three Hundred Twenty-Five Thousand Dollars (\$325,000), and ask for a jury in the trial of this cause.

Respectfully submitted,



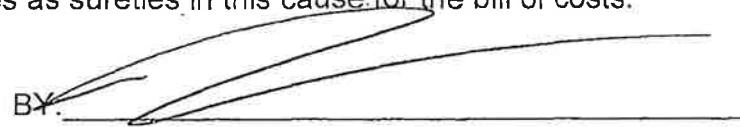
F. Braxton Terry, BPR #018248

Of Counsel:

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P.O. Box 724
Morristown, TN 37815-0724
423-586-5800 /Fax 423-587-4714
Email: brack@terry-lawfirm.com

COST BOND

We acknowledge ourselves as sureties in this cause for the bill of costs.



BY:
F. Braxton Terry

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